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## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this correspondence, totaling 3 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-6300 (Central number) on the below date:

Date: April 27, 2010 Name: Michael S. Gzybowski Signature: /Michael S. Gzybowski/

**BRINKS  
HOFER  
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& LIONE**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Takayuki NISHIZAKA, et al.

Appln. No.: 11/089,107 10/579,880

Filed: April 2, 2009

For: THREE DIMENSIONAL, POSITION  
OBSERVATION METHOD AND  
APPARATUS

Examiner: Not yet assigned

Attorney Docket No.: 14165-003

Art Unit: 2877

Conf. No.: 3447

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

**TRANSMITTAL**

Attached is/are:

Power of Attorney to Prosecute Applications Before the USPTO; and Statement Under 37 CFR 3.73(b).

## Fee calculation:

- No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_ for a \_\_\_\_-month extension of time under 37 CFR § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
				Rate	Add'l Fee	or	Rate
Total	Minus			x \$28=		x \$52=	
Indep.	Minus			x 110=		x 220=	
First Presentation of Multiple Dep. Claim				+\$195=		+ \$390=	
				Total	\$	Total	\$

## Fee payment:

- Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_.  
 Payment by credit card in the amount of \$\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

April 27, 2010

Date

/Michael S. Gzybowski/

Michael S. Gzybowski (Reg. No. 32,816)

**BRINKS  
HOFER**

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PAGE 1/3 \* RCVD AT 4/27/2010 3:22:59 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/26 \* DNIS:2738300 \* CSID:7349946331 \* DURATION (mm:ss):00:48